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TERMINAL DISCLAIMER TO ACCOMPANY PETITION

Docket Number (Optional)

38-58(13696)B In re Application of: Barton, Kenneth A. Name: 07/827,906-Conf. #3375 Application Number: January 30, 1992 Filed: IMPROVED EXPRESSION OF GENES IN PLANTS The owner*, Monsanto Technology LLC 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer is binding upon the grantee, and its successors or assigns. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. The undersigned is an attorney or agent of record. Registration Number July 27, 2006 Date Grace L. Bonner, Senior Counsel (314) 694-3165 Telephone Number Typed or printed name Terminal disclaimer fee under 37 CFR 1.20(d) included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as U.S. Express Mail, Airbill No. EV690683735US, in an envelope addressed to: MS Petition, Commissioner for Paterity, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 27, 2006

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	STATEMENT UNDER 37 CFR 3.73(b)	
Applicant/Patent Owner: Monsanto Technology LLC		
Application No./Patent No./Control No.: <u>α</u>	7/827,906 Filed/Issue Date: _	lanuary 30, 1992
Entitled: IMPROVED EXPRESSION OF GEN	IES IN PLANTS	
Monsanto Technology LLC	, a Corporation	
(Name of Assignee) states that it is: 1. the assignee of the entire right, title,		ion, partnership, university, government agency, etc.)
2. an assignee of less than the entire r (The extent (by percentage) of its ov		
in the patent application/patent identified above by virtue of either:		
A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel, Frame, or a true copy of the original assignment is attached. OR		
B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:		
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Additional documents in the chain of title are listed on a supplemental sheet.		
assignee was, or concurrently is being, [NOTE: A separate copy (i.e., a true co	documentary evidence of the chain of tit submitted for recordation pursuant to 3 opy of the original assignment document(s) FR Part 3, to record the assignment in the re	7 CFR 3.11.) must be submitted to Assignment
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.		
_ Kran Z/o	me	July 27, 2006
· ·	ature	Date (24.1) 224 2425
Printed or Ty	Bonner, yped Name	(314) 694-3165 Telephone Number
	Counsel	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.